#1) pursuant to 28 U.S.C. § 1983 on July 29, 2002. Plaintiff later submitted a First Amended Complaint (Doc. #9) which the Court dismissed in an Order (Doc. #18) filed on September 19, 2003. Plaintiff subsequently filed a Motion to Alter or Amend Judgment (Doc. #20) which the Court granted on April 22, 2004 (Doc. #27). The Court directed the Clerk of the Court to reopen the case and ordered Plaintiff to complete and return a service packet within 20 days, after which the U.S. Marshal Service would notify the six defendants and effect service. Plaintiff was warned that if he failed to timely comply with the provisions in the order regarding service of process, the action could be dismissed pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

The court docket reflects that on April 23, 2004, the Clerk of Court mailed the service packet to Plaintiff. The Clerk received the service packet back from Plaintiff on June 21, 2004, but had to re-send it to Plaintiff on June 28, 2004, for correction. The court docket

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further reflects that Plaintiff failed to return the service packet after it was re-sent to him. Additionally, the docket shows that Plaintiff has had no contact with the court since June 2004. IT IS THEREFORE ORDERED that the Clerk of Court shall dismiss this action pursuant to Rule 4(m) without further notice to Plaintiff if he fails to show cause within twenty (20) days for his failure to return the service packets and arrange service of process on the defendants. IT IS FURTHER ORDERED that the Clerk of Court shall dismiss this action pursuant to Rule 41(b) without further notice to Plaintiff if he fails to show cause within twenty (20) days for his failure to prosecute this action. DATED this 5th day of October, 2006. United States District Judge

JDDL